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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

ANGELICA M AVILA,
Plaintiff,

vs.

KILOLO KIJAKAZI, Acting
Commissioner of Social Security,
Defendant.

Case No. 1:21-cv-01283-JLT-BAM
STIPULATION AND ~~PROPOSED~~
ORDER FOR EXTENSION OF
TIME

IT IS HEREBY STIPULATED, by and between the parties through their respective counsel of record, with the Court's approval, that Plaintiff shall have a 60-day extension of time, from May 2, 2022 to July 1, 2022, for Plaintiff to serve on defendant with Plaintiff's Motion for Summary Judgment. All other dates in the Court's Scheduling Order shall be extended accordingly.

This is Plaintiff's first request for an extension of time. Good cause exists for this extension. First, Counsel for the Plaintiff underwent major orthopedic surgery on March 17, 2022, and is dealing with post-operation pain and the

1 secondary effects of medications; and as a result, is working short periods
2 throughout the day with significant breaks throughout. Counsel will also undergo
3 12 weeks of physical therapy, four days a week.

4 Secondly, as this Court is well aware, Social Security case filings in federal
5 court increased due to a combination of factors including an increase in appeals
6 council decisions and an increase in hearings at the administrative levels. Then, as
7 a result of the pandemic, shelter-in-place mandates, and Court ordered Stays, there
8 were significant delays in producing transcripts. In recent months, Counsel for the
9 Plaintiff has received a greater-than-usual number of Answers and Certified
10 Administrative Records from defendant including over 56 cases in February and
11 March of 2022.

12 For the weeks of May 2, 2022 and May 9, 2022, Counsel for Plaintiff has 20
13 merit briefs, and several letter briefs and reply briefs. For the remainder of the
14 month of May 2022, Counsel has over 21 merit briefs currently calendared, with
15 that number expected to grow.

16 Lastly, another attorney with the firm, Ms. Dolly Trompeter, is currently out
17 of state due to her father's medical condition and as a result, the undersigned has
18 taken on additional matters compounding the need for an additional extension.

19 Counsel for the Plaintiff does not intend to further delay this matter.
20 Defendant does not oppose the requested extension. Counsel apologizes to the
21 Defendant and Court for any inconvenience this may cause.

22
23 Respectfully submitted,

24 Dated: April 28, 2022 PENA & BROMBERG, ATTORNEYS AT LAW

25
26 By: /s/ Jonathan Omar Pena
27 JONATHAN OMAR PENA
28 Attorneys for Plaintiff

Dated: April 28, 2022

PHILLIP A. TALBERT
United States Attorney
PETER K. THOMPSON
Acting Regional Chief Counsel, Region IX
Social Security Administration

By: */s/ Patrick Snyder
Patrick Snyder
Special Assistant United States Attorney
Attorneys for Defendant
(*As authorized by email on April 28, 2022)

ORDER

Pursuant to the parties' stipulation, and cause appearing, Plaintiff's request for an extension of time to file her Motion for Summary Judgment is GRANTED. Plaintiff shall file her Motion for Summary Judgment on or before July 1, 2022. All other dates in the Court's Scheduling Order are modified accordingly.

IT IS SO ORDERED.

Dated: April 29, 2022

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE